



Entered on Docket
August 24, 2011

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

**USA COMMERCIAL MORTGAGE
COMPANY,**

Debtor.

Case No. BK-S-06-10725-LBR
Chapter 11

**Order Sustaining Fifth Omnibus Objection
Of USACM Trust To Proofs Of Claim
Based In In Part Upon Investment In The
Tapia Ranch Loan**

Hearing Date: July 26, 2011
Hearing Time: 1:30 p.m.

The Court having considered the "Fifth Omnibus Objection Of USACM Trust To Proofs Of Claim Based In Whole or In Part Upon Investment in The Tapia Ranch Loan" [DE 8526] (the "Objection"); the Court having heard the Objection on July 26, 2011; appropriate notice of the Objection having been given; no response to the Objection having been filed; the Court noting on the record that the disallowance of the Claims listed on **Exhibit A** does not affect the direct lenders' right to repayment by the borrower or from the collateral securing the Tapia Ranch Loan; and good cause appearing:

1 **IT IS ORDERED** that:

2 1. The Objection [DE 8526] is sustained; and

3 2. The claims listed on **Exhibit A** attached are disallowed to the extent those
4 claims are based upon an investment in the Tapia Ranch Loan.

5
6 **PREPARED AND RESPECTFULLY SUBMITTED BY:**

7
8 **LEWIS AND ROCA LLP**

9 By /s/ John Hinderaker (AZ #018024)

10 Robert M. Charles, Jr.

11 John Hinderaker (*pro hac vice*)

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16 *Attorneys for USACM Liquidating Trust*

LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

_____ This Court has waived the requirement set forth in LR 9021(b)(1).

XXX No party appeared at the hearing or filed an objection to the motion.

_____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

Counsel appearing: _____

_____ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party: _____	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ John Hinderaker. (AZ #018024)
Attorneys for USACM Liquidating Trust

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**USACM Trust
Tapia Ranch
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Tapia Ranch (Castiac Partners, LLC) Loan
10725-02256	1/12/2007	James H Lidster Family Trust Datd 1/20/92	James H & Phyllus M Lidster Ttees 2958 San Mateo Drive Minden, NV 89423-7812	1,204,192.58	Unknown
10725-00233	9/26/2006	Jeannine M Gahrng Revocable Trust Dtd 6/27/97	C/O Jeannine M Gahrng Tee 17282 Candleberry Irvine, CA 92612-2310	75,000.00	50,000.00
10725-02124	1/11/2007	Joy Investment Inc A Nevada Corporation	5280 S Eastern Ave., Suite D-3 Las Vegas, NV 89119 And 8080 Harborview Road Blaine, WA 98230	1,818,940.00	100,000.00
10725-01868	1/5/2007	Kefalas Trust Dtd 7/3/97	C/O Kenneth & Debbie Kefalas Ttees 2742 Carina Way Henderson, NV 89052-4055	510,000.00	250,000.00
10725-01661	12/9/2006	Kehl, Christina M	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	1,023,023.12	50,000.00
10725-01657	12/9/2006	Kehl, Kevin	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	961,017.34	200,000.00
10725-01660	12/9/2006	Kehl, Robert J & Ruth Ann	Janet L Chubb, Atty. At Law Armstrong Teasdale LLP 50 W. Liberty, Suite 950 Reno, NV 89501	12,841,680.13	500,000.00

EXHIBIT A

2406858.1

**USACM Trust
Tapia Ranch
Multiple Loan Claims**

Claim	Date Claim was Filed	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the Tapia Ranch (Castiac Partners, LLC) Loan
10725-00882	10/31/2006	Kenneth L Schumann Living Trust Dtd 7/19/96	C/O Kenneth L Schumann Ttee 10 Town Plz #99 Durango, CO 81301-5104	125,000.00	50,000.00
10725-02214	1/12/2007	Lynda L Pinnell Living Trust Dtd 7/24/00	Lynda L Pinnell Ttee 9915 Saddleback Dr Lakeside, CA 92040	649,047.68	50,000.00
10725-02202	1/10/2007	Marguerite Falkenberg 2000 Trust Dtd 6/20/00	C/O Marguerite Falkenberg Trustee 727 3rd Ave Chula Vista, CA 91910-5803	794,366.81	104,539.03

EXHIBIT A

2406858.1